

REMARKS

Entry of Amendment

As this amendment is canceling claims, correcting the form of the claims and clarifying the language therein, and placing the application in a condition for allowance, it is respectfully submitted that this amendment should be entered and considered at this time.

Amendment to Claims

Applicant is amending Claims 1, 3, 5, 55, 57, 58 and 75 for clarification purposes and to correct informalities therein. It is respectfully requested that these amendments be entered and allowed at this time.

Applicants will now address each of the Examiner's objections and rejections in the order in which they appear in the Final Rejection.

Election

In the Final Rejection, the Examiner states that Claims 31-48, 80-83, 92-95, 106 and 107 are directed to a non-elected invention and is requiring that these claims be canceled. Applicants previously canceled these claims but will do so again to advance the prosecution of this application, Applicants are canceling these claims without prejudice or disclaimer. Therefore, it is respectfully requested that this objection be withdrawn.

Double Patenting

The Examiner also has the following rejections under the judicially created doctrine of obviousness-type double patenting:

- A. Claims 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 49, 51, 53 and 55-74 are rejected as being unpatentable over claims of U.S. 6,753,854 (Koyama et al. '854).
- B. Claims 75-79, 84-91, 96-105 are rejected as being unpatentable over claims of U.S. 6,590,581 (Koyama et al. '581) in view of claims of Koyama et al. '854.
- C. Claims 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 49, 51, 53 and 55-74 are rejected as being unpatentable over claim 1 of Koyama '854 in view of Nakai et al. (US 6,072,454).
- D. Claims 55, 56, 62, 68 and 72 are rejected as being unpatentable over claim 1 of Koyama et al. '854 in view of Sharp et al. (US 6,049,367).

Each of these rejections is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are submitting herewith a terminal disclaimer over Koyama et al. '854 and Koyama et al. '581, along with the terminal disclaimer fee. Please charge our deposit account 50/1039 for any further fee for this terminal disclaimer. It is respectfully submitted that this overcomes the Examiner's rejections.

Further, with regard to Rejection C above, the Examiner contends that "[i]t would have been obvious to a person of ordinary skill in the art at the time of the invention to replace Koyama's liquid crystal molecules with an OCB mode liquid crystal, in view of the teaching in the Nakai's reference, because this would improve the quality of the image being displayed, while saving power consumption (col. 13, lines 1-6 of Nakai et al)". Applicants respectfully submit that this rejection and the basis for the rejection are improper. In particular, the Examiner has not shown a proper and sufficient motivation to combine Koyama et al. and Nakai et al. to arrive at the claimed invention, as

Nakai et al. fails to sufficiently and clearly teach that the feature, that the Examiner is relying upon from Nakai et al., will “improve the quality of the image being displayed, while saving power consumption.” Therefore, since the motivation is defective to combine the references, the rejection is improper and should be withdrawn.

With regard to Rejection D above, the Examiner contends that “[i]t would have been obvious to a person of ordinary skill in the art at the time of the invention to replace Koyama's LCD molecules with the pi-cell structure, in view of the teaching in the Sharp's reference because this would provide reduced flicker, increase brightness as taught by Sharp et al. (col. 27, lines 4-10).” Applicants respectfully submit that this rejection and the basis for it also are improper. In particular, the Examiner does not show a sufficient and proper motivation to combine Koyama et al. and Sharp et al. to arrive at the claimed invention, because the “provide reduced flicker, increase brightness” as taught by Sharp et al. is obtained, not by an OCB mode but, by a structure of the in-line filter with selections of colors, which is shown in Fig. 37 of Sharp et al. Therefore, since the motivation is defective to combine the references, the rejection is improper and should be withdrawn.

Accordingly, for at least the above-stated reasons, the no double patenting rejections have been overcome and are improper of. Therefore, it is respectfully requested that these rejections be withdrawn.

Conclusion

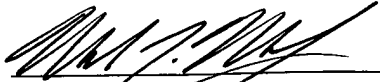
Applicants respectfully submit that the present application is in a condition for allowance and should be allowed.

If any further fee is due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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